

WILLMAR CITY COUNCIL PROCEEDINGS
COUNCIL CHAMBERS
WILLMAR MUNICIPAL UTILITIES BUILDING
WILLMAR, MINNESOTA

July 18, 2001
7:00 p.m.

The regular meeting of the Willmar City Council was called to order by the Honorable Mayor Pro Tempore Doug Reese. Members present on a roll call were Mayor Pro Tempore Reese, Council Members Ron Christianson, Bruce DeBlieck, Denis Anderson, Nancy Houlahan, Rick Fagerlie, Jim Dokken, and David Chapin; Present 8, Absent 1 - Mayor Lester Heitke was excused from the meeting.

Also present were City Administrator Michael Schmit, City Attorney Richard Ronning, Police Chief Jim Kulset, Fire Chief Marv Calvin, Public Works Director Mel Odens, Finance Director Steven Okins, Planning and Development Services Director Bruce Peterson, and City Clerk Kevin Halliday.

The Rice Hospital Board Minutes of July 11, and Airport Commission Minutes of July 9, 2001, were removed from the Consent Agenda.

Council Member Christianson offered a motion adopting the Consent Agenda which included the following: City Council Minutes of July 2, Municipal Utilities Commission Minutes of June 28 and July 9, Pioneerland Library Board Minutes of May 17, Planning Commission Minutes of July 11, and Zoning Appeals Board Minutes of July 9, 2001. Council Member Anderson seconded the motion, which carried.

The Council discussed the Rice Hospital Board Minutes regarding the architect's review of the heating options for the building and expansion project. Council Member Anderson clarified that the district heating system will be used due to the impact on the Municipal Utilities by going to an internal heating system. Council Member Dokken moved to approve the Rice Hospital Board Minutes of July 11, 2001, with Council Member Christianson seconding the motion, which carried.

The Council discussed the Airport Commission Minutes clarifying the Airport Commission Ordinance. Council Member Dokken moved to approve the Airport Commission Minutes of July 9, 2001, with Council Member Christianson seconding the motion, which carried.

Mayor Pro Tempore Reese acknowledged that no one had signed up to address the City Council during its scheduled Open Forum.

City Clerk Halliday informed the Council that West Side Liquor of Willmar has requested an Off-sale Liquor License for the period of November 1, 2001 to April 25, 2002. Following discussion, Council Member DeBlieck moved to approve the license. Council Member Houlahan seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

The Finance Committee Report of July 9, 2001, was presented to the Council by Council Member Anderson. There were two items for Council consideration.

Item No. 1 The Committee reviewed correspondence from the State Department of Revenue officially notifying the City that the Truth in Taxation public hearings in 2001 for taxes payable in 2002 are not required. This was due to the late enactment of the Omnibus Tax Bill and the massive changes in the property tax system for the taxes payable year 2002.

Following discussion, it was the consensus of the Committee that this is a good process to use for gathering public input into the City's budget process, and the Committee was recommending to the Council to publish and hold the hearings as before. Council Member Anderson moved to approve the recommendation of the Finance Committee with Council Member Dokken seconding the motion, which

carried.

Item No. 2 Staff discussed with the Committee options available to the Council to submit input earlier into the budget process. One of the options recommended was the use of a uniform budget form submitted to the Mayor for his consideration sometime in the month of August. It was determined the forms will be available and distributed at the same time Department request forms are distributed. This matter was for information only.

The Finance Committee Report of July 9, 2001, was approved as presented and ordered placed on file in the City Clerk's Office upon motion by Council Member Anderson, seconded by Council Member Fagerlie, and carried.

The Public Works/Safety Committee Report of July 10, 2001, was presented to the Mayor and Council by Council Member Reese. There were ten items for Council consideration.

Item No. 1 Three Ridgewater College students presented their concern for pedestrian safety to the Committee. The area in question is on 7th Street NW near Rau Park. It was felt that due to limited sight distance and high-speed traffic, pedestrians fishing near the culverts are in a potential dangerous situation. Their recommendation to the Committee was to install "watch for pedestrian" signs. The Committee referred the matter to staff to research signage options. This matter was for information only.

Item No. 2 As directed by the Council, staff presented to the Committee related costs to repair a sanitary sewer service line on East Highway 12. The first obstruction is 17 feet out from the curb with the main line lying 3 feet beyond the centerline. Staff pursued two options: one being going out into the highway and repairing the broken line (\$8,190) and the other connecting into a neighboring service line (\$3,950). Staff recommends repairing the existing line and proposing to Mr. Keith Webster that the City provide the traffic control estimated at \$3,500 along with 50 percent of concrete surfacing and 100 percent of the bituminous patch. Mr. Webster would be responsible for all remaining costs estimated at \$2,415. The Committee was recommending to the Council to authorize staff's proposal be presented to Mr. Webster.

Mr. Keith Webster appeared before the Council to request a possible cost sharing of his incurred costs searching for the improperly located sewer connection. The matter was referred to staff.

Council Member Reese moved to approve the recommendation of the Public Works/Safety Committee with Council Member Houlahan seconding the motion, which carried.

Item No. 3 Arvin Schultz, a representative of FEMA, appeared before the Committee to present information on the availability of flood plain insurance. It was noted the only flood zone within the City is around the lakes. In 1978 the City opted out of the program, and as a result residents are now unable to buy flood insurance because the City does not participate. An ordinance can now be enacted to allow for the purchase of flood insurance pending specifics. The matter was referred to staff to research the impacts on residents and was received for information only.

Item No. 4 The Committee discussed the issue of establishing a dog park and reviewed correspondence from W-Dog. Marie Lingl, owner of Fancy Coats, and Marv Olson, representing the Lions Club, also spoke. Ms. Lingl informed the Committee she is looking into development of a private dog park on the Fancy Coats premises, which could be used by members for an annual fee. She informed the Committee that her plans are dependent on the City's decision. Marv Olson spoke on behalf of the Lions Club requesting the Committee not consider Lions Park as a possible location.

Following a discussion of possible sites to locate the park within the City and what type of commitment W-Dog has presented, the Committee directed staff to work with W-Dog and Fancy Coats. This matter was for information only.

Item No. 5 Steve NedreLOW, Chairman of the Airport Commission, addressed the Committee with concerns for hangar space at the existing airport. The City has received four inquiries to construct new hangars due to loss of rental space. The Airport Commission presented a concept to the Committee to aid in the relocation costs of these hangars.

Following discussion, the Committee was recommending to the Council to direct staff to develop an agreement between the City and owner to aid in the relocation costs of these hangars. Council Member Reese moved to approve the recommendation of the Public Works/Safety Committee with Council Member Christianson seconding the motion. City Administrator Schmit informed the Council that the City could only provide assistance if there are local, state or federal funds available at the time of relocation. Relocation costs are an eligible cost today but there are no guarantees money will be available from the state or federal governments at the time the hangars need to be relocated.

Steve NedreLOW appeared before the Council requesting a firm commitment to fund the relocation costs or the builders would be hard pressed to go forward. It was noted that the Council couldn't bind a future Council to funding the costs of the unknown future date. The Council directed staff to clarify in the draft agreement that the aid in the relocation costs for the hangars will be dependent on the availability of local, state or federal funding. The motion then carried.

Item No. 6 The Committee considered a request from staff for authorization to apply for a federal grant from the Bureau of Justice Assistance. It was noted this is the same grant the City received previous years and requires a local 10 percent match. The funding is to purchase mobile data computers for the rest of the detective vehicles.

The Committee was recommending to the Council to authorize staff to proceed with the application. Resolution No. 1 was introduced by Council Member Reese, seconded by Council Member Christianson, read by Mayor Pro Tempore Reese, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 1

BE IT RESOLVED by the Willmar City Council that the City Administrator and Chief of Police are hereby authorized to apply for and enter into a grant agreement with the Bureau of Justice Assistance for a Local Law Enforcement Block Grant for Fiscal Year 2001.

Dated this 18th day of July, 2001.

/s/ Doug Reese
MAYOR PRO TEMPORE

/s/ Kevin Halliday
Attest: CITY CLERK

Item No. 7 The Committee considered a petition for an improvement received from Lincoln Clements to extend 9th Street Southwest past his property. Following discussion, a motion was made to order the improvement and preparation of plans and specifications for 9th Street Southwest from 19th Avenue Southwest to Richland, seconded, and failed to pass by a tie vote of two yes and two no. The matter is referred to Council without a recommendation.

Following discussion, Council Member Christianson moved to order the improvements as petitioned on 9th Street Southwest from 19th Avenue Southwest up to and including the south property line of property owned by Warren Erickson. Council Member Dokken seconded the motion, which carried on a roll call vote of Ayes 6, Noes 2 - Council Member Houlahan and DeBlieck voted "No."

Item No. 8 Staff informed the Committee that subsequent to the adoption of

the 2001 Improvements Assessment Roll, the City needs to amend the current figures to reflect the addition of the assessments for the construction of Olena Avenue Southeast and assessment modifications with some property owners.

The Committee was recommending to the Council adoption a resolution amending the assessment roll for the 2001 Improvements. Resolution No. 2 was introduced by Council Member Reese, seconded by Council Member Christianson, read by Mayor Pro Tempore Reese, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 2

AMENDING ASSESSMENT ROLL

WHEREAS, The City Council of the City of Willmar, Minnesota duly adopted the assessment roll for the 2001 Street Improvement Project on May 2, 2001, and

WHEREAS, certain adopted assessments have been amended due to further negotiations, additional information or district court action.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Willmar, Minnesota, as follows:

1. Such assessment roll be amended to the sum of \$962,184.06, a copy of which is attached hereto and made a part hereof, is hereby accepted.

2. Such assessments shall be as follows:

A. The assessments shall be payable in equal annual installments extending over a period of ten (10) years, the first of said installments to be payable with general taxes for the year 2002, collectible with such taxes during the year 2002.

B. To the first installment shall be added interest at the rate of six and fifty hundredths (6.50) percent per annum on the entire principal amount of the assessment from the date of the bond sale, approximately August 1, 2001, until December 31, 2002. To each subsequent installment, when due there shall be added interest for one year at said rate on the unpaid principal amount of the assessment.

C. The owner of any property so assessed may at any time prior to the certification of the assessment or the first installment thereof to the County Auditor (Treasurer), pay the whole of the principal amount of the assessment on such property with interest accrued to the date of payment to the City clerk-Treasurer, except that no interest shall be charged if the entire assessment is paid by October 31, 2001, and such property owner may at any time prior to November 15 of any year pay to the City Clerk-Treasurer the entire principal amount.

3. The City Clerk-Treasurer shall forthwith transmit a certified duplicate copy of this assessment to the County Auditor to be extended on the tax list of the County.

Dated this 18th day of July, 2001.

/s/ Doug Reese
MAYOR PRO TEMPORE

/s/ Kevin Halliday
Attest: CITY CLERK

Item No. 9 The Committee directed staff to present the concept of opening Litchfield Avenue at 6th Street Southwest at a future meeting. This matter was for information only.

Item No. 10 The Committee briefly discussed the enforcement of parking in the Downtown and the possibility of changing time limits or no limits at all. The Main Street Coordinator is currently conducting a survey, and it was felt this issue could be adequately addressed after the results of the survey were received. This matter was for information only.

The Public Works/Safety Committee Report of July 10, 2001, was approved as presented and ordered placed on file in the City Clerk's Office by Council Member Reese, seconded by council Member Christianson, and carried.

City Administrator Schmit reviewed with the Council recommendations for the \$1,400,000 General Obligation Improvement Bonds, Series 2001D. Following discussion, Resolution No. 3 was introduced by Council Member Anderson, seconded by Council Member Christianson, read by Mayor Pro Tempore Reese, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 3

PROVIDING FOR THE COMPETITIVE NEGOTIATED SALE OF \$1,400,000
GENERAL OBLIGATION IMPROVEMENT BONDS, SERIES 2001D

(For Resolution in its entirety, see City Council minutes
file dated July 18, 2001, located at the City Clerk's Office)

Resolution No. 4, setting the hearing on August 1, 2001, was introduced by Council Member Christianson, seconded by Council Member Anderson, read by Mayor Pro Tempore Reese, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 4

CALLING FOR PUBLIC HEARING ON AN ORDINANCE AUTHORIZING THE ISSUANCE OF
\$1,400,000 GENERAL OBLIGATION IMPROVEMENT BONDS, SERIES 2001D,
AND THE LEVYING OF TAXES TO SECURE THE PAYMENT THEREOF

(For Resolution in its entirety, see City Council minutes
file dated July 18, 2001, located at the City Clerk's Office)

Planning and Development Services Director Peterson presented to the Council for consideration a preliminary plat for SUPERVALU Addition, a one-lot plat of the area developed for Cub Foods. It was noted the Planning Commission has approved the preliminary plat subject to the addition of easements and dedication of right-of-way. Council Member Christianson moved to approve of the preliminary plat for SUPERVALU Addition. Council Member DeBlieck seconded the motion, which carried.

Planning and Development Services Director Peterson presented to the Council for consideration a preliminary plat for Schmitt Addition, a one-lot plat of the site being developed for the Culver's Restaurant on 19th Avenue Southeast. It was noted the Planning Commission has approved the preliminary plat subject to the addition of easements. Council Member Anderson moved to approve of the preliminary plat Schmitt Addition. Council Member DeBlieck seconded the motion, which carried.

Announcements for Council Committee meeting dates were as follows: Finance, July 23; Labor Relations and Public Works/Safety, July 24; and Community Development July 26, 2001.

There being no further business to come before the Council, the meeting adjourned at 8:16 p.m. upon motion by Council Member Christianson, seconded by Council Member Chapin, and carried.

Attest:

MAYOR

SECRETARY TO THE COUNCIL